

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 03-cv-12349-PBS 2 P 3:06

BRYAN BARLETT and ELIZABETH  
BARTLETT, Individually and as Mother  
and Next Friend of ANGELA L. BARTLETT,  
BRYAN K. BARTLETT, JR., AND,  
CHRISTOPHER C. BARTLETT,  
Plaintiffs

v.

DANIEL O'CONNELL'S SONS, INC.,  
Defendant

ASSENTED TO MOTION TO EXTEND TIME  
TO SERVE INITIAL DISCLOSURES

The Defendant, Daniel O'Connell's Sons, Inc., moves the Court to grant it additional time to serve Initial Disclosures upon Plaintiff. As grounds for its motion, the defendant states:

1. Defendant was originally represented by Richard J. Shea and Michael R. Byrne of the firm, Melick, Porter & Shea, LLP.
2. Melick, Porter & Shea was retained by Defendant's insurer to represent the interests of Defendant under its liability policy.
3. Since that time, it has come to light that on the construction site at issue in this lawsuit, Defendant participated in an Owner Controlled Insurance Program ("OCIP") which was administered by AIG Insurance.
4. As a result of the change in insurance carrier, new counsel, Murphy and Riley, PC, has assumed the defense of Daniel O'Connell's Sons, Inc.

5. Counsel at Murphy and Riley, PC have just received the materials in this case and require additional time to become familiar with the file and serve initial disclosures.
6. The time requested, two weeks, will cause no prejudice to the plaintiffs.
7. The plaintiffs have assented to a two week extension in time to serve initial disclosures.


For the foregoing reasons, the defendant, Daniel O'Connell's Sons, Inc., respectfully request that its motion be ALLOWED and that it be granted an additional two weeks from April 12, 2004, up to and including April 26, 2004, to serve its initial disclosures.

RESPECTFULLY SUBMITTED,

DANIEL O'CONNELL'S SONS, INC.  
By its attorneys,

  
Richard J. Riley, BBO#420610  
Margret R. Cooke, BBO#630965  
Murphy and Riley, PC  
141 Tremont Street  
Boston, MA 02118  
(617) 423-3700

ASSENTED TO:

  
Nicholas S. Guerrero, BBO#551475 (mrc)  
Shaheen, Guerrero & O'Leary, LLC  
Jefferson Office Park  
820A Turnpike Street  
North Andover, MA 01845  
(978) 689-0800

Dated: April 9, 2004

CERTIFICATE OF SERVICE

I Hereby Certify That On This Day  
A True Copy Of The Within Document  
Was Served Upon The Attorney Of  
Record For Each Party By Mail/Hand

Dated: 4/9/04 mrc